

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-345

Timothy Ballas,)	
Appellant,)	
)	
v.)	
)	
City of Somerville and Al Bargoot,)	
Appellees)	
)	

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant asks the Board to grant a variance from 780 CMR 1014.6.4 (Spiral stairways) of the Massachusetts State Building Code ("MSBC") for 156 Sycamore Street, Somerville, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on January 4, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se. Present and representing the City of Somerville Inspectional Services Division of the Mayor's Office of Strategic Planning & Community Development was Building Inspector, Al Bargoot. There was no representative present from the City of Somerville Fire Department.

Discussion

A motion was made to grant the Appellants request for a variance from 780 CMR 1014.6.4 of the MSBC with the condition that the stairway riser height not be more than

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

8 ¼ inches and the treads must comply with the MSBC and be open grate steel stair treads. Motion carried 3-0.


Conclusion

The Appellant's request for variance from 780 CMR 1014.6.4 of the MSBC is hereby **GRANTED**.

SO ORDERED.



HARRY SMITH



ALEXANDER MACLEOD



KEITH HOYLE

DATED: January 22, 2007

** In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*